IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 6486 of 2004

Sandesh Krishnaji Mhap ..Petitioner

vs.

1. Union of India and anr. ..Respondents

Mr.M.S.Topkar for petitioner

CORAM: A.P.SHAH
& S.U.KAMDAR JJ.
13th August,2004

P.C.

1. Heard Advocate.

2. The petitioner who holds the diploma in engineering was appointed as an engineer and on his own showing his main function was to supervise the workers. Therefore, the finding of the Central Govt. that the petitioner does not fall within the definition of "workman" under section 2(s) of the Industrial Disputes Act, 1947 cannot be faulted.

3. In any event there was inordinate delay of nearly 7 years in raising the dispute. Therefore, in our opinion, this is not a fit case for exercise of writ jurisdiction under Article 226. Petition is accordingly dismissed.